



2100 Pennsylvania Avenue, NW
Washington, DC 20037-3213
T 202.293.7060
F 202.293.7860
www.sughrue.com

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FAX

Date June 6, 2006

To Examiner Thierry L. PHAM

Of PTO Group Art Unit 2624

Fax (571) 273-8300

From Nataliya Dvorson Reg. No. 56,616

Subject Forwarding Courtesy Copy of Petition filed May 15, 2006

Our Ref Q61079 Appn No 09/679,882

Conf No 7624 Inventors Hiroaki MOMOSE

Pages 5 (including cover sheet)

Please call attention to problems with this transmission by return fax or telephone. Thank you.

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Please find attached herewith a courtesy copy of the Petition to Reset the Period for Reply Due to Non-Receipt of Office Action filed in the USPTO on May 15, 2006, along with a copy of the OIPE date-stamped filing receipt.

FILING RECEIPT
PLEASE DATE STAMP AND RETURN TO US - BOX 235X

In re application of

Hiroaki MOMOSE

Appln. No.: 09/679,882

Confirmation No.: 7624

Filed: October 5, 2000

For: INK JET PRINTER, PRINTER CONTROL UNIT, PRINTER SYSTEM INCLUDING THE SAME, AND STORAGE MEDIUM WITH THE OPERATION PROGRAM OF THE PRINTER CONTROL UNIT

PAPER(S) FILED ENTITLED:

1. Petition to Reset the Period for Reply Due to Non-Receipt of Office Action
2. Exhibit A: Copy of Docket for June 8, 2006
3. Exhibit B: Copy of PTO Office Action Mail Report for March 9, 2006 - March 20, 2006

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

DOCKET NO.: Q61079
ATTORNEY/SEC: KGH/ND/mlv
Date Filed: May 15, 2006



PATENT APPLICATION**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q61079

Hiroaki MOMOSE

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Appln. No.: 09/679,882

Group Art Unit: 2624

JUN 06 2006

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Examiner: Thierry L. PHAM

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For: INK JET PRINTER, PRINTER CONTROL UNIT, PRINTER SYSTEM INCLUDING THE SAME, AND STORAGE MEDIUM WITH THE OPERATION PROGRAM OF THE PRINTER CONTROL UNIT

**PETITION TO RESET THE PERIOD FOR REPLY
DUE TO NON- RECEIPT OF AN OFFICE ACTION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

During a routine status check, Applicant's representatives recently became aware that an Office Action was mailed for the above-identified application on March 8, 2006. A review of the daily correspondence log has revealed that the mailed copy was never received. A copy of the Office Action was downloaded from Private Pair on May 12, 2006. In view of a substantial portion of the set period for reply having elapsed prior to the date of receipt, Applicant hereby petition to have the previously set time period for reply to the Office Action restarted. Applicant submits the following in support of the petition.

Applicant is filing the instant petition within two weeks of the actual date of receipt of the Office Action that was downloaded from Private Pair on May 12, 2006. A substantial portion¹ of

¹ MPEP § 710.06.I states that the substantial portion is that at least a month had elapsed on the date of receipt (e.g., at least 1 month of a 2- or 3-month reply period had elapsed).

PETITION TO RESET THE PERIOD FOR REPLY
DUE TO NON- RECEIPT OF AN OFFICE ACTION
U.S. Appln. No. 09/679,882
Attorney Docket No.: Q61079

the set period for reply has elapsed prior to the date of receipt of the Office Action. The PTO mail date of the Office Action was March 8, 2006. However, the Office Action was never received by mail. As a routine matter, mail received by Sughrue Mion, PLLC is first processed and date stamped by the Docketing Department upon its arrival. The docketing department then enters the appropriate due dates in the docketing system and the case is forwarded to the working attorney. The undersigned, Nataliya Dvorson, is the working attorney for the above-identified application and the Office Action would have been docketed for a response due three months from the mail date and it would have shown up on the docket on June 8, 2006, for Nataliya Dvorson (under "NDvorson" beginning on page 15), if the Office Action had been received. Copies of the docket for June 8, 2006 is attached as Exhibit A as evidence that the Office Action was not received.

Sughrue Mion, PLLC also tracks all incoming PTO Actions through our docketing system. If said Office Action was received, it would have appeared on one of the PTO Office Action Mail Reports dated between March 9, 2006 through March 19, 2006. A copy of these PTO Office Action Mail Reports are submitted as Exhibit B.

Upon a routine status check on May 12, 2006, it was noted that an Office Action was indicated as being mailed on the PAIR web page on March 8, 2006. As provided for in MPEP §710.06, and in view of the above, Applicant respectfully petitions to have the previously set time period for reply to the Office Action dated March 8, 2006 restarted.

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It is believed that no fees are due for the instant Petition. However, should it be determined that fees are required for the instant petition, please charge the fees to Deposit Account No. 19-4880. A duplicate copy of this sheet is enclosed.

Respectfully submitted,



Nataliya Dvorszon
Registration No. 56,616

SUGHRUE MION, PLLC
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Facsimile: (202) 293-7860

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